

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JASON WIMBERLY,

Plaintiff,

-against-

NY COMMUNITY FINANCIAL, LLC,

Defendant.

24-cv-7547 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

As discussed on the record at the January 31, 2025 hearing:

1. Plaintiff Jason Wimberly is GRANTED leave to amend his complaint. The deadline to file an amended complaint is **Monday, March 3, 2025**.
2. By **Monday, March 17, 2025**, defendant NY Community Financial LLC should file any response to the amended complaint. NY Community Financial may rest on its briefing in support of its current motion to dismiss (Dkts. 36, 58) and file a supplemental letter outlining its responses to the amendments.
3. By **Monday, April 7, 2025**, Wimberly should file his response to NY Community Financial's motion to dismiss the amended complaint.
4. By **Monday, April 14, 2025**, NY Community Financial shall file any reply.
5. Wimberly has also filed a number of motions. These include: 1) a motion to vacate this Court's order granting defendant an extension of time to answer; 2) a motion for expedited discovery; 3) a motion to strike defense counsel's notice of appearance; 4) reconsideration of the Court's order granting defendant a second extension of time to answer; 5) a motion certifying a question to the Second Circuit; and 6) a motion for the Court to take judicial notice of certain documents. The Court has closely scrutinized these motions, and after considering the facts and circumstances of this case and the applicable law, the Court finds that the relief sought by Wimberly on most of the motions is unwarranted. The motions are denied except for Wimberly's motion for the Court to take judicial notice of certain documents, which is granted as unopposed. As for discovery, the Court will set in place a schedule for discovery if NY Community Financial's motion to dismiss is denied.
6. If the parties jointly agree, the Court can refer the parties to Magistrate Judge Ricardo for a settlement conference.

The Clerk of Court is directed to terminate the motions at Dkts. 14, 16, 20, 28, 29, 30, 31, and 49.

SO ORDERED.

Dated: February 3, 2025
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge